

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

LONNIE ORR, and BILL PORTER,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

NATIONAL RIFLE ASSOCIATION OF
AMERICA, a New York corporation, and
INFOCISION, INC. d/b/a InfoCision
Management Corporation, a Delaware
corporation,

Defendants.

CASE NO. 1:17-cv-00157-GBL-MSN

NOTICE OF VOLUNTARY DISMISSAL

Plaintiffs Lonnie Orr and Bill Porter (collectively “Plaintiffs”) dismiss this lawsuit against Defendants National Rifle Association of America and InfoCision, Inc. (collectively “Defendants”) with prejudice as to their individual claims against Defendants and state as follows:

Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

(a) Voluntary Dismissal.

(1) By the Plaintiff.

(A) *Without a Court Order.* Subject to Rules 23(e), 23.1(c), 23.2 and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or

(ii) a stipulation of dismissal signed by all parties who have appeared.

(B) *Effect*. Unless the notice or stipulation states otherwise, the dismissal is without prejudice. But if the plaintiff previously dismissed any federal- or state-court action based on or including the same claim, a notice of dismissal operates as an adjudication on the merits.

In this case, Defendants have neither answered Plaintiffs' Complaint nor served a motion for summary judgment. In addition, no class has been certified in this matter so Rule 23's exceptions do not apply. Likewise, this case does not involve any Receiver so as to implicate Rule 66.

Accordingly, Plaintiffs hereby dismiss these proceedings in accordance with Rule 41(a)(1)(i) with prejudice as to their individual claims against Defendants.

Dated: July 16, 2018

s/ Matthew B. Kaplan
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Certificate of Service

I hereby certify that, on the date indicated below, the foregoing document (and any attachments or accompanying documents) was served via the Court's CM/ECF System on counsel for all parties who have appeared in this matter.

/s/ Matthew B. Kaplan
Matthew B. Kaplan
Dated: July 16, 2018